

Exhibit B

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

5:21-cv-844-XR

LULAC TEXAS, et al.,

Plaintiffs,

v.

JANE NELSON, et al.,

Defendants.

1:21-cv-0786-XR

DECLARATION OF DOMINGO A. GARCIA

I, Domingo A. Garcia, having personal knowledge of the following facts and declare as follows:

1. I serve as the National President of the League of United Latin American Citizens (LULAC), a position to which I was elected in 2018 and through which I work closely with chapter leaders, staff, and volunteers across the country.

2. LULAC is a national organization and the oldest and largest Latino civil rights organization in the United States.

3. Its mission is to advance the economic condition, educational attainment, political influence, housing, health, and civil rights of the Latino population of the United States.

4. To advance this mission, LULAC works to protect and advance the civil and voting rights of Latino individuals, including within the State of Texas.

5. Founded in 1929, LULAC's state chapter in Texas has more than 8,000 members, including registered voters, who are organized into—and affiliate with—over 250 local councils across Texas.¹

6. As part of its mission, LULAC, its local councils, and its individual members, as well other volunteers and community members, spend time and resources on social justice programming—including advocacy centered on immigration and racial justice issues—as well as activities intended to strengthen the organization itself, such as recruiting new members and opening new chapters.

7. To promote civic engagement and voter participation, both of which are critical to its mission, LULAC encourages its members and all members of the Latino community in Texas to become and remain civically engaged, including by voting, encouraging others to vote, and volunteering as election workers. Encouraging members and other citizens to volunteer as election workers is particularly critical because Latino communities in Texas have historically been underserved with election-related resources. As a result, in-person advocacy and interactions with voters are key to LULAC's mission, and ensuring a sufficient number of workers for polling sites is critical to making voting accessible to predominantly-Latino communities.

8. LULAC members therefore regularly volunteer as election workers, including as election judges, and regularly engage in voter registration activities as Volunteer Deputy Registrars

¹ Henceforth, the term “LULAC” refers to LULAC Texas, unless otherwise stated.

and through voter education initiatives. This work is at the core of LULAC's mission to ensure that Latino's in Texas have access to the ballot box.

9. LULAC members also engage in various activities, initiatives, and programs designed to increase voter turnout, awareness, and civic engagement among LULAC members and their communities.

10. However, provisions of SB 1 have created barriers that impose significant burdens on these efforts. For instance, provisions of SB 1 empowering partisan poll watchers impose a chilling effect on voters at the polls, as well as poll workers who may now be subject to criminal liability.

11. For example, I have spoken with Ana Coca, a LULAC member serving as an election judge in Carrollton, Texas during the 2022 general election, about her experience encountering disruptive partisan poll watchers whom she had to remove. The experience gave her serious concerns about serving as an election judge in future elections. She has observed poll watchers becoming more aggressive in recent years, but she fears being subject to criminal liability if she has to remove poll watchers again in the future, which has discouraged her from serving as an election judge in the future.

12. SB 1's provisions also harm LULAC, its local councils, its members, and the communities they serve by discouraging people from providing or requesting assistance with voting.

13. Until SB 1, LULAC councils across Texas long operated voter assistance programs to help voters, and specifically the elderly, to prepare for and participate in elections. These programs provided assistance to LULAC's members and other Latino community members through a variety of means, including but not limited to: helping voters get to the polls, supporting

voters who have been denied the opportunity to vote, assisting voters to obtain proper identification, and responding to questions about voting requirements.

14. And, historically, a primary goal of these programs was to encourage Latino seniors to vote by mail—including by helping seniors to fill out and return mail ballot applications.

15. The programs are staffed by volunteers—most often high school seniors and college students—who aid voters by both responding to their inquiries received via phone or online and by dispatching assistants to voters' homes to encourage voter registration and turnout, and—until SB 1—to assist the elderly in voting by mail.

16. LULAC councils sometimes provided modest gifts or reimbursements—like food, t-shirts, or compensation for gas—to volunteers who contributed their time to these efforts.

17. These modest gifts may now qualify as a “benefit” under SB 1, subjecting LULAC's volunteers to criminal penalties that limit how they can communicate with voters if a mail ballot happens to be present.

18. As a result of these added restrictions and the accompanying risk of criminal liability, LULAC has had difficulty recruiting volunteers who are willing to assist with mail-in ballot related assistance programming, and senior citizens in the community no longer feel comfortable requesting assistance, out of fear that those providing assistance could face criminal prosecution.

19. Consequently, LULAC has ended all programming specifically meant to encourage Latino seniors to vote by mail through local councils' voter assistance programs.

20. In their efforts to promote civic engagement and voter participation, LULAC councils are now constrained to barebones voter assistance programs that are limited to responding

to inquiries electronically, over the phone, and at the polls, as well as merely encouraging voter registration and turnout.

21. Therefore, LULAC's efforts to promote civic engagement and voter participation among the Latino community in Texas have now been rendered less effective, thereby undermining its broader mission of advancing the economic condition, educational attainment, political influence, housing, health, and civil rights of the Latino community.

22. In order to address these harms, and to assist LULAC members in overcoming the new barriers to registration and voting, LULAC has been forced to divert significant resources from other programming. This includes reallocating staff and volunteer time from other programs and activities—such as raising money for scholarships, recruiting new members, and educating and mobilizing its members around issues related to racial justice, immigration, education, and other issues in Texas—to efforts aimed at ensuring LULAC's members and other Latino constituents are able to vote in spite of SB 1's new requirements and protecting members from criminal liability for their volunteer efforts.

23. For example, in advance of the 2022 elections, LULAC councils in Texas conducted a coordinated communications campaign that included a first-ever statewide bus tour before the 2022 elections to educate its members about changes to the voting process introduced by SB 1 and to promote voter participation. This civic engagement effort was the largest of any effort LULAC had taken in recent years and was a direct response to SB 1's provisions and their suppressive impact on Latino voters.

24. The campaign required a significant investment of staff time to organize the tour and to raise awareness of the tour through comprehensive social media outreach. The social media outreach—conducted via platforms such as Facebook, Instagram, and Twitter—was aimed at

disseminating information to voters on how changes imposed by SB 1 would affect how they could vote in the upcoming 2022 elections. This was staff time that would otherwise have been focused on other key projects and areas of advocacy for LULAC, such as programming for the health, housing, and educational attainment of the Latino community, and fundraising for scholarships.

25. Moreover, these diversions are not temporary. Because of the ongoing effects of SB 1 on LULAC's members and Texas Latinos, LULAC has made voting rights and mail-in voting its dominant legislative priorities, whereas before SB 1 LULAC divided its attention more evenly among numerous other social welfare and policy initiatives.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6/23/2023

DOMINGO GARCIA

Domingo A. Garcia